

April 1, 2025

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

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www.kingcounty.gov/independent/hearing-examiner

**REPORT AND RECOMMENDATION TO THE
METROPOLITAN KING COUNTY COUNCIL**

SUBJECT: Department of Natural Resources and Parks file no. **E24CT018**
Proposed ordinance no. **2025-0068**
Parcel no. **052203-9006**

WILLIAM AND KERRI GRACE

Open Space Taxation Application (Public Benefit Rating System)

Location: [REDACTED] Vashon

Applicants: **William and Kerri Grace**

[REDACTED]
Vashon, WA 98070

Telephone: [REDACTED]

Email: [REDACTED]

King County: Department of Natural Resources and Parks

represented by **Megan Kim**

201 S. Jackson Street

Suite 5601

Seattle, WA 98104

Telephone: (206) 477-4788

SUMMARY OF RECOMMENDATIONS:

Department's Recommendation: Approve 2.81 acres for 50% of assessed value
Conditional approval of 4.56 acres for 40% of assessed value

Examiner's Recommendation: Approve 2.81 acres for 50% of assessed value
Conditional approval of 4.56 acres for 40% of assessed value

PRELIMINARY REPORT:

On March 6, 2025, the Department of Natural Resources and Parks (DNRP) submitted its report on file no. E24CT018 to the Examiner.

PUBLIC HEARING:

After reviewing the preliminary report and examining available information on file with the application, the Examiner conducted a remote public hearing on the application on March 20, 2025. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording is available in the Hearing Examiner's Office.

FINDINGS AND CONCLUSIONS:

1. General Information:

| | |
|----------------|--|
| Owners: | William & Kerri Grace 19314 Beall Road SW Vashon, WA 98070 |
| Location: | 19314 Beall Road SW, Vashon |
| STR: | NE 05-22-03 |
| Zoning: | RA10SO |
| Parcel no.: | 052203-9006 |
| Total acreage: | 5.21 acres |

2. The Applicants timely filed an application to King County for the Public Benefit Rating System (PBRS) program current use valuation of the property to begin in 2025. As required by law, notification of the application occurred.

3. A summary of relevant PBRS categories follows below. (Plain text represents a category an applicant requested an award for and that DNRP agrees is warranted. *Italics* represents a category an applicant did not request an award for, but that DNRP nonetheless concludes is warranted. And an *asterisk* represents a category where DNRP finds an award is warranted, but only if certain contingencies or conditions are met.)

| | | |
|------------------|----------------------------------|---|
| PBRS categories: | <u>Open Space Resources</u> | |
| | Aquifer protection area | 5 |
| | <i>Watershed protection area</i> | * |
| | <u>Bonus Categories</u> | |
| | <i>Resource restoration</i> | * |
| | <hr/> Total | 5 |

The DNRP-recommended score of 5 points results in a current use valuation of 50% of assessed value for the enrolled portion of the property.

4. Additional credit may be awarded administratively under the watershed protection category and the resource restoration category, subject to submittal of a resource restoration plan (addressing the 1.75 acres of property currently impacted by lawn/grasses) by **August 1, 2025**, and subsequent DNRP approval of that plan by **October 1, 2025**. Award of credit under this category will increase the point total by ten points, increase the enrolling acreage to 4.56, and result in a current use valuation of 40% of assessed value for the enrolled portion of the property.
5. As to the land area recommended for PBRS enrollment, the Applicants requested 4.61 acres and DNRP currently recommends 2.81 acres (adjustable up to 4.56 acres). Enrollment acreage is the entire parcel less the excluded area, as calculated by DNRP. In the event the County Assessor's official parcel size is revised, the PBRS acreage shall be administratively adjusted to reflect that change.
6. Except as modified herein, we find the facts set forth in DNRP's preliminary report and testimony at the March 20, 2025, public hearing correct and we incorporate them by reference. We will provide copies of this report and DNRP's report to the Metropolitan King County Council for final approval.
7. Approval of five points and a current use valuation of 50% of assessed value for 2.81 acres, and conditional approval of ten additional points and 40% of assessed value for 4.56 acres, are consistent with KCC Chapter 20.36 and with the purposes and intent of King County to maintain, preserve, conserve, and otherwise continue in existence adequate open space lands and to assure the use and enjoyment of natural resources and scenic beauty for the economic and social well-being of King County and its citizens.

RECOMMENDATION:

1. APPROVE a current use valuation of 50% of assessed value for the 2.81-acre enrolled portion of the property.
2. CONDITIONALLY APPROVE additional credit for the watershed protection category and the resource restoration category, subject to submittal of a resource restoration plan (addressing the 1.75 acres of property currently impacted by lawn/grasses) by **August 1, 2025**, and subsequent DNRP approval of that plan by **October 1, 2025**. Award of credit under this category will increase the point total by 10 points, increase the enrolling acreage to 4.56, and result in a current use valuation of 40% of assessed value for the enrolled portion of the property.

DATED April 1, 2025.



David Spohr, Hearing Examiner

NOTICE OF RIGHT TO APPEAL

A party may appeal an Examiner report and recommendation by following the steps described in KCC 20.22.230. By **4:30 p.m.** on ***April 25, 2025***, an electronic appeal statement must be sent to Clerk.Council@kingcounty.gov, to hearingexaminer@kingcounty.gov, and to the party email addresses on the front page of this report and recommendation. Please consult KCC 20.22.230 for the exact filing requirements.

If a party fails to timely file an appeal, the Council does not have jurisdiction to consider that appeal. Conversely, if the appeal requirements of KCC 20.22.230 are met, the Examiner will notify parties and interested persons and will provide information about next steps in the appeal process.

MINUTES OF THE MARCH 20, 2025, HEARING ON THE APPLICATION OF WILLIAM AND KERRI GRACE, FILE NO. E24CT018

David Spohr was the Hearing Examiner in this matter. Megan Kim participated in the hearing.

The following exhibits were offered and entered into the hearing record:

- | | |
|---------------|---|
| Exhibit no. 1 | DNRP report to the Hearing Examiner |
| Exhibit no. 2 | <i>Reserved for future submission of the affidavit of hearing publication</i> |
| Exhibit no. 3 | Legal notice and introductory ordinance to the King County Council |
| Exhibit no. 4 | Arcview/orthophotograph and aerial map |
| Exhibit no. 5 | Application signed and notarized |

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CERTIFICATE OF SERVICE

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Proposed ordinance no. **2025-0068**
Parcel no/s. 052203-9006

William and Kerri **Grace**
Open Space Taxation Application (Public Benefit Rating System)

I, Jessica Oscoy, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL** to those listed on the attached page as follows:

- EMAILED to all County staff listed as parties/interested persons and parties with e-mail addresses on record.
- placed with the United States Postal Service, through Quadient-Impress, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED April 1, 2025.



Jessica Oscoy
Office Manager

Bernstein, Bill

Department of Natural Resources and Parks

Bonyeau, Elenore

Department of Assessments

Hay, Melani

Metropolitan King County Council

Kim, Megan

Department of Natural Resources and Parks

Ngo, Jenny

Metropolitan King County Council

Turnbull, Lee and Melinda

Hardcopy